

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MARC ANTHONY COLON,  
  
                                Petitioner,  
  
                v.  
  
BRIAN WILLIAMS, et al.,  
  
                                Respondents.

Case No. 2:18-cv-00602-GMN-PAL

**ORDER**

          The court ordered petitioner either to file an application to proceed in forma pauperis or to pay the filing fee. Order (ECF No. 4). Petitioner has not complied with the court’s order within the allotted time. The court will dismiss the action. Even though the dismissal will be without prejudice, petitioner remains responsible for calculating whether any later-filed action would be timely under 28 U.S.C. § 2244(d).

          Reasonable jurists would not find the court’s decision to be debatable or wrong, and the court will not issue a certificate of appealability.

          IT THEREFORE IS ORDERED that this action is **DISMISSED** without prejudice for failure to comply with the court’s order. The clerk of the court shall enter judgment accordingly and close this action.


///

///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IT FURTHER IS ORDERED that a certificate of appealability will not issue.

DATED: June 20, 2018

  
\_\_\_\_\_  
GLORIA M. NAVARRO  
Chief United States District Judge